

**CHARTER COMMISSION MEETING MINUTES**  
**MONDAY, NOVEMBER 29, 2010**  
**705 W. University Avenue, Council Auditorium**

**Commission members in attendance:** Odon Bacque, Dale Bourgeois, Karen Carson, Bruce M Conque, George A. Lewis, Greg Manual, Stephen J. Oats, Aaron Walker  
**Absent:** D. Keith Miller

**Charter staff members in attendance:** Pat Ottinger (City-Parish Attorney) and Veronica L. Williams (Charter Commission Clerk)

**Council Members/Staff in attendance:** Council Chair Jay Castille and Council Member Don Bertrand and Council Clerk Norma Dugas

**Administration staff in attendance:** Finance Director Becky Lalumia and Director of Lafayette Utilities System Terry Huval

(5:30 p.m.) AGENDA ITEM NO. 1: Call to order  
Chair George Lewis called the meeting to order.

AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance  
Commissioner Karen Carson was called upon to deliver the invocation and lead the Pledge of Allegiance.

AGENDA ITEM NO. 3: Comments/Announcements from Commission Members

Bacque congratulated and thanked Lewis for his work on working on the first draft of the Charter.

Conque stated that he and Becky Lalumia had a follow up discussion on Charter matters. One issue was related to the payment of Parish funds (\$10 million) made to the City of Lafayette. Lalumia explained that this net amount was based on how resources were used and distributed for parish functions/services. The amount paid by the parish was determined through a cost allocation plan done every three years. If the functions remained consolidated, Conque noted that this amount for LCG employees would remain almost unchanged. Lalumia added that if the Commission agreed to have two separate governing bodies, the parish employees could remain under the newly formed parish government.

Conque also stated that he had received clarification with reference to general service districts, which he no longer supported. Bacque asked what the parish's cost allocation amount was for the Council Office and Lalumia responded \$210,000 of a total \$1.3 million. Bacque expressed concern regarding the possible creation of a new parish council and its impact on the allocation amount paid by the parish and Lalumia responded that the amount would only be affected if the parish council costs exceeded the current appropriation of \$210,000.

AGENDA ITEM NO. 4: Discussion of detailed issues on Governance

Lewis reminded that the Commission had previously voted and approved the motion to build two different governance models: 1) with two separate governments (city and parish); and 2) a continuation of the current Home Rule Charter. Under each model, the Commission would also consider for inclusion proposed

amendments from the directors and/or elected officials. Lewis referred to a list of questions he prepared and asked the 1<sup>st</sup> question:

1. Should the Commission propose one charter, or should there be two separate charters under the first model?

Oats stated that there should be two Charters. Conque asked Ottinger if it would be possible to have two separate charters and Ottinger referred to Ordinance O-074-2010 creating the Charter Commission, which stated that the Commission did have that option to propose two separate governments, with two separate charters. He cautioned that the language for the ballot proposition could not exceed 400 words, prohibiting the inclusion of the Charters on the ballot. Oats reiterated his concern about placing two different items on the ballot as it could be confusing to the citizens and recommended that the Commission present one model to the citizens.

A motion was offered by Walker, seconded by Conque to identify a preliminary Charter amendment to create two charters...a city charter and a parish charter. Lewis then called for public comment on the motion.

► Wayne (last name inaudible) expressed concern about voting on this matter prior to having all the details, as a vote today may impact another issue in the future.

Upon vote on the motion by Walker, seconded by Conque **to identify a preliminary Charter amendment to create two (2) Charters...a city charter and a parish charter**, the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel, Oats, Walker

NAYS: None

ABSENT: Miller

ABSTAIN: None

*The motion was approved*

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2. 1-02: How should the Commission describe the form of government?

Lewis noted that the language describing the form of government would be similar to that of the previous charters, given the consensus of the Commission was to create two separate charters.

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Lewis asked:

3. 1-02: How can the Commission better describe “operating functions”?

Bacque questioned whether the language should refer to an intergovernmental agreement between the Parish and City to provide the consolidated functions/services. Ottinger responded that he would perform research to determine the best way to include the appropriate language. Walker asked the number of departments that would be affected and Lalumia responded a majority of the departments with the exception of Police and Utilities Departments. Further, she suggested that an exclusion be included on the consolidated operating functions for the offices relating to the legislative functions, mandated services and other elected offices.

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Lewis asked:

4. 2-01 Was the Commission set on seven members for the Parish Council?

Manuel questioned whether the creation of an “at-large” member would be feasible and Ottinger stated that the approval of an “at large” member could bring about compliance issue with the Voting Rights Act. Oats stated that five (5) members would be too small for the parish and more members would be needed to create committees/liaison teams.

► Don Bertrand advised that the current Council represented 25,000 constituents, which could be used as a guide when determining membership. He was unsure on the membership number for the parish council; however, he concurred that five members would be too small and felt that seven (7) members would be a good.

A motion was offered by Oats, seconded by Walker to identify a preliminary Charter amendment to set the membership of the City Council at seven (7) members. Lewis then called for public comment on the motion.

► Jay Castille reminded that the Commission must ensure that the provisions for majority-minority districts were considered.

► Ernie Alexander stated that he had forwarded a letter to the Commissioners with the recommendation that there be one seated Council that would vote similar to a weighted vote model and asked that this option be considered.

Upon vote on the motion by Oats, seconded by Walker **to identify a preliminary Charter amendment to set the membership of the City Council at seven (7) members**, the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel, Oats, Walker

NAYS: None

ABSENT: Miller

ABSTAIN: None

*The motion was approved*

With reference to the Parish, Conque suggested there be a total of nine (9) parish council members.

A motion was offered by Conque, seconded by Oats to identify a preliminary Charter amendment to set the membership of the Parish Council at nine (9) members. Lewis then called for public comment on the motion.

► Conrad Comeaux stated that, as a former parish council member, seven (7) members was a good working number and he did not feel there was a need to increase that number to nine. The former parish council consisted of seven members. Conque stated that he would preliminarily propose a 9-member body, given the new population count was estimated to be approximately 230,000. Bourgeois concurred with the recommendation for a 7-member body. Comeaux advised that, as a former parish council member with a predominantly city district, he rarely received calls from parish constituents.

► Jay Castille noted that the workload on either side would be heavy and the call volume would remain almost unchanged. Council Members also spent a lot of time on meetings with citizens and site visits.

Upon vote on the motion by Conque, seconded by Oats **to identify a preliminary Charter amendment to set the membership of the Parish Council at nine (9) members**, the vote was as follows:

YEAS: Bourgeois, Carson, Conque, Lewis, Manuel, Oats, Walker

NAYS: Bacque

ABSENT: Miller  
ABSTAIN: None  
*The motion was approved*

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Lewis asked:

5. 2-01 B: Does the Commission want to continue the term limit language?

The consensus was to continue with term limits and leave the language as is in the Charter. On another note, Lewis asked if the Commission had any comment on whether the terms should be “staggered”. Conque stated that he favored staggered terms. Ottinger advised that he was not aware of a location where staggered terms were being used on the local level of government.

► Jay Castille did not support implementing staggered terms for Council members. Conque noted that he found one (1) instance where the staggered term was utilized on the local level; however, he did not wish to pursue the issue further at this time.

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Lewis asked:

6. 2-01C – Was the eligibility age of eighteen (18) a legal requirement for elected office?

Ottinger stated that he was not aware of any legal impediment that disallowed increasing the age. Bertrand stated that the legal age could be a provision in the Constitution. Ottinger advised that he would research the matter. Oats supported the age of 18, adding that a citizen was able to vote and be a member of the military at 18 years of age, thus, should be eligible to run for public office. There was consensus to leave the eligibility age at 18.

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Lewis asked:

7. 2-01 D: Are these the right residency requirements?

He noted that had received clarification on the residency requirements. There being no further questions, the provision in the Charter would remain as is.

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8. City Council...Was the Commission set on five members?

Lewis reminded that the Commission had voted earlier in the meeting to preliminarily set the number of City Council members at seven (7). See question #4.

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9. Section 2-02: Get legal to write the reapportionment language to reflect the recent amendment.

Lewis requested that Ottinger draft the language that would address the time constraint.

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Lewis asked:

10. 2-04 C and D: Does the Commission want to continue the prohibition that does not allow an appointee to run for the vacant seat in the Office of the Council and President?

Referring to Councilman Purvis Morrison's seat, Conque noted that an appointee will serve for almost a year and, at the end of the term, that individual would be well qualified to carry out the duties and requirements of the job. Conque felt the appointee should be allowed to run for the vacant seat. In closing, he reminded that the Council had the authority to fill the vacancy without an application process, which would not allow other interested individuals the opportunity to apply.

A motion was offered by Oats, seconded by Bourgeois to identify a preliminary Charter amendment to delete references stating that *"the person appointed to fill the vacancy shall not be eligible to be a candidate for the election to fill the remainder of the unexpired term."* Lewis then called for public comment on the motion.

Walker expressed concern that the person appointed would have an advantage on the other person(s) running for that same seat.

► Wayne (last name inaudible) stated that the appointee should not be able to run for office.

Upon vote on the motion by Oats, seconded by Bourgeois **to identify a preliminary Charter amendment to delete references stating that *"the person appointed to fill the vacancy shall not be eligible to be a candidate for the election to fill the remainder of the unexpired term."***, the vote was as follows:

YEAS: Bourgeois, Conque, Lewis, Manuel, Oats

NAYS: Bacque, Carson, Walker

ABSENT: Miller

ABSTAIN: None

*The motion was approved*

On a similar note, Conque supported adding language to the Charter that would require the Council to take applications to fill a vacancy.

A motion was offered by Conque, seconded by Oats **to identify a preliminary Charter amendment to add language making it a requirement that the Council develop an application process to fill a vacancy;** and the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel, Oats, Walker

NAYS: None

ABSENT: Miller

ABSTAIN: None

*The motion was approved*

#### AGENDA ITEM NO. 5: General comments from the public on Consolidation

► Ernie Alexander noted that he saw advantages to keeping the form of government as is and advantages to separating the governments. As a former City-Parish Council Member, he referred to a map where several roads hit Verot School Road and stopped. He illustrated this to show what happened when two separate bodies did not communicate with each other to improve road infrastructure. Alexander then suggested that there be one sitting Council to handle both City and Parish matters, where there would be a weighted vote on City matters. This method would allow all Council members to be involved on both City and Parish matters.

AGENDA ITEM NO. 6: Next meeting date

The next meeting was scheduled for Monday, Dec 6, 2010.

AGENDA ITEM NO. 7: Adjourn

There being no further business, the meeting adjourned at 7:44 p.m.